

MINUTES

MONTANA SENATE 60th LEGISLATURE - REGULAR SESSION

COMMITTEE ON TAXATION

Call to Order: By **CHAIRMAN JIM ELLIOTT**, on February 21, 2007 at 8:00 A.M., in Room 405 Capitol.

ROLL CALL

Members Present:

Sen. Jim Elliott, Chairman (D)
Sen. Jerry W. Black (R)
Sen. Jeff Essmann (R)
Sen. Kelly Gebhardt (R)
Sen. Kim Gillan (D)
Sen. Dan Harrington (D)
Sen. Christine Kaufmann (D)
Sen. Sam Kitzenberg (D)
Sen. Jim Peterson (R)
Sen. Bob Story Jr. (R)

Members Excused: Sen. Trudi Schmidt (D)

Members Absent: None.

Staff Present: Lee Heiman, Legislative Branch
Lois O'Connor, Committee Secretary

Audio Committees: These minutes are in outline form only. They provide a list of participants and a record of official action taken by the committee. The link to the audio recording of the meeting is available on the Legislative Branch website.

Committee Business Summary:

Hearing & Date Posted:	SB 492, 2/14/2007; SB 507, 2/14/2007; SB 529, 2/14/2007; SB 533, 2/14/2007
Executive Action:	SB 174, SB 492, SB 507, SB 529, SB 439

00:00:05

HEARING ON SB 492

Opening Statement by Sponsor:

00:03:53 **SEN. KELLY GEBHARDT (R), SD 23**, opened the hearing on **SB 492**, Exempt certain local government property transactions from appraisal.

Proponents' Testimony:

00:05:37 Gary Fjelstad, Rosebud County Commissioner

00:06:47 Sheryl Wood, Associate Director, Montana Association of Counties (MACo)

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:07:51 Sen. Robert Story to Sen. Gebhardt

00:10:30 Sen. Jim Peterson to Sen. Gebhardt

00:11:59 Sen. Jerry Black to Ms. Wood, MACo, rereferred to Sen. Gebhardt

00:13:34 Sen. Jim Elliott to Sen. Gebhardt

Closing by Sponsor:

00:14:36 Sen. Gebhardt

HEARING ON SB 507

Opening Statement by Sponsor:

00:14:49 **SEN. BOB STORY (R), SD 30**, opened the hearing on **SB 507**, Revise park district election laws.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony:

00:17:57 Sheryl Wood, MACo

Questions from Committee Members and Responses:

00:18:58 Sen. Peterson to Sen. Story

00:22:22 Sen. Elliott to Sen. Story

Closing by Sponsor:

00:23:26 Sen. Story

Discussion:

00:26:16 Sen. Elliott to Sen. Story

00:27:00 Sen. Elliott to Ms. Wood, MACo

HEARING ON SB 529

Opening Statement by Sponsor:

00:27:31 **SEN. JEFF ESSMANN (R), SD 28**, opened the hearing on **SB 529**, Constitutionally restrict property taxes.

Proponents' Testimony: None.

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

00:32:44 Sen. Black to Sen. Essmann

00:34:10 Sen. Elliott to Sen. Essmann

00:35:59 Sen. Dan Harrington

00:39:23 Sen. Gebhardt to Sen. Essmann

00:41:03 Sen. Peterson to Sen. Essmann

00:42:08 Sen. Story to Sen. Essmann

00:43:18 Sen. Elliot to Sen. Essmann

Closing by Sponsor:

00:48:23 Sen. Essmann

HEARING ON SB 533

Opening Statement by Sponsor:

00:48:45 **SEN. MITCH TROPILA (D), SD 12**, opened the hearing on **SB 533**, Adjust date of TIF valuation -- delaying circumstances.

Proponents' Testimony:

00:53:24 Sen. Jerry Black, SD 14

00:57:31 John Lawton, Great Falls City Manager

Opponents' Testimony: None.

Informational Testimony: None.

Questions from Committee Members and Responses:

01:05:22 Sen. Harrington to Sen. Tropila

01:07:00 Sen. Gebhardt to Mr. Lawton, Great Falls City Manager

01:12:54 Sen. Peterson to Mr. Lawton, Great Falls City Manager

01:15:10 Sen. Essmann to Mr. Lawton, Great Falls City Manager

01:17:30 Sen. Kaufmann to Sen. Tropila

01:20:20 Sen. Kaufmann to Mr. Lawton, Great Falls City Manager

01:22:56 Sen. Story to Mr. Lawton, Great Falls City Manager

01:30:34 Sen. Peterson to Mr. Lawton, Great Falls City Manager

01:34:12 Sen. Elliott to Mr. Lawton, Great Falls City Manager

01:45:00 Sen. Gebhardt

01:45:33 Sen. Story to Mr. Lawton, Great Falls City Manager

01:50:21 Sen. Black to Mr. Lawton, Great Falls City Manager

Closing by Sponsor:

01:53:38 Sen. Tropila

EXHIBIT(tas39a01)

01:56:03 Break

02:17:57 Reconvene

EXECUTIVE ACTION ON SB 174

02:18:40 **Motion:** SEN. ELLIOTT moved that SB 174 DO PASS.

02:19:09 Dan Bucks, Director, Montana Department of Revenue
(DOR)

EXHIBIT(tas39a02)

02:20:02 SEN. ELLIOTT withdrew the DO PASS motion. No further
action was taken.

EXECUTIVE ACTION ON SB 492

02:21:04 **Motion:** SEN. GEBHARDT moved that SB 492 DO PASS.

Discussion:

02:21:39 Sen. Gebhardt

02:21:58 Sen. Essmann to Lee Heiman, Staff Attorney, Legislative
Services Division (LSD), rereferred to Sen. Gebhardt

02:23:29 Mr. Heiman, LSD

02:24:00 Sen. Peterson to Sen. Gebhardt

02:27:09 Sen. Essmann

02:28:14 Sen. Story

02:29:18 Sen. Gebhardt

02:30:07 Sen. Story

02:30:46 Sen. Elliott

02:31:30 Sen. Elliott to Sen. Story

02:32:28 Mr. Heiman, LSD
02:32:54 Sen. Gebhardt
02:33:26 Sen. Elliott
02:34:40 Sen. Essmann
02:34:59 Sen. Elliott to Sen. Gebhardt
02:35:51 Sen. Peterson
02:36:46 Sen. Kaufmann
02:37:48 Sen. Elliott
02:38:53 **SEN. GEBHARDT withdrew the DO PASS motion. No further action was taken.**

EXECUTIVE ACTION ON SB 507

02:39:28 **Motion:** SEN. STORY moved that SB 507 DO PASS.

Discussion:

02:39:44 Sen. Story

02:40:10 **Vote:** Motion that SB 507 DO PASS carried unanimously by voice vote. SEN. GILLAN and SEN. SCHMIDT were excused.

EXECUTIVE ACTION ON SB 529

02:42:01 **Motion:** SEN. ESSMANN moved that SB 529 DO PASS.

02:42:21 **Motion/Vote:** SEN. ESSMANN moved to amend SB 529 with amendment #SB052901.ALH. Motion carried unanimously by voice vote. SEN. KITZENBERG and SEN. SCHMIDT were excused.

EXHIBIT(tas39a03)

02:43:15 **Motion:** SEN. ESSMANN moved that SB 529 DO PASS AS AMENDED.

Discussion:

02:43:29 Sen. Essmann
02:44:30 Sen. Peterson
02:47:03 Sen. Elliott
02:47:47 Sen. Peterson
02:48:19 Sen. Elliott
02:48:34 Sen. Kaufmann
02:49:57 Sen. Gebhardt
02:51:23 Sen. Story
02:54:13 Sen. Elliott
02:55:34 Sen. Essmann
02:57:18 Sen. Elliott
02:58:23 Sen. Essmann
02:58:55 Sen. Peterson
02:59:21 Sen. Essmann to Sen. Gebhardt
03:00:59 Sen. Essmann
03:01:52 Sen. Gebhardt
03:02:20 **Vote:** Motion that SB 529 DO PASS AS AMENDED carried 7-3 by roll call vote with SEN. ELLIOTT, SEN. HARRINGTON, and SEN. KAUFMANN voting no. SEN. SCHMIDT voted aye by proxy. SEN. KITZENBERG was excused.

EXECUTIVE ACTION ON SB 439

03:06:03 **Motion:** SEN. ELLIOTT moved that SB 439 DO PASS.
03:07:08 **Motion:** SEN. ELLIOTT moved that #SB043902.ALH DO PASS.

EXHIBIT (tas39a04)

Discussion:

03:07:33 Sen. Story

03:09:59 Sen. Peterson

03:11:32 Sen. Black

03:11:47 Sen. Story

03:11:51 Sen. Gebhardt

03:12:48 Sen. Elliott

03:13:11 Sen. Peterson to Sen. Elliott

03:17:04 **Vote:** Motion that #SB043902.ALH be approved carried 8-1 by voice vote with SEN. STORY voting no. SEN. HARRINGTON and SEN. SCHMIDT were excused.

03:17:27 **Motion:** SEN. STORY moved to further amend SB 439 with a CONCEPTUAL AMENDMENT.

Discussion:

03:18:53 Sen. Kim Gillan to Dan Bucks, Director, Montana Department of Revenue (DOR)

03:20:05 Sen. Story to Director Bucks, DOR

03:22:44 Sen. Gebhardt to Director Bucks, DOR

03:27:25 Sen. Elliott

03:27:51 **Vote:** Motion that the CONCEPTUAL AMENDMENT be approved carried 8-1 by voice vote with SEN. ELLIOTT voting no. SEN. HARRINGTON and SEN. SCHMIDT were excused.

03:28:16 **Motion/Vote:** SEN. ELLIOTT moved that SB 439 DO PASS AS AMENDED. Motion carried 8-1 by voice vote with SEN. GEBHARDT voting no. SEN. HARRINGTON and SEN. SCHMIDT were excused.

ADJOURNMENT

Adjournment: 11:00 A.M.

SEN. JIM ELLIOTT, Chairman

LOIS O'CONNOR, Secretary

JE/lo

Additional Exhibits:

EXHIBIT ([tas39aad.pdf](#))